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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

AMON GORDON,

Plaintiff,

v.

GMAC, et al.,

Defendants.


Civil No. 10cv1270 L (CAB)

**ORDER DENYING WITHOUT  
PREJUDICE AMENDED MOTION  
TO DISMISS AND AMENDED  
MOTION TO STRIKE [doc. nos. 8, 9]**

Defendants Portfolio Recovery Associates, Inc. and PRA Location Services LLC filed amended motions to strike portions of the complaint and to dismiss the complaint. Plaintiff filed an amended complaint on August 30, 2010. Because an amended complaint supersedes a prior complaint as a pleading, when a plaintiff elects to file an amended complaint, a district court may treat an existing motion to dismiss as moot. *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997); *Hal Roach Studios, Inc. v. Richard Feiner & Co.*, 896 F.2d 1542, 1546 (9th Cir. 1990). Accordingly, the Court **DENIES AS MOOT and WITHOUT PREJUDICE** defendants' amended motions to strike and to dismiss the complaint.

**IT IS SO ORDERED.**

DATED: September 8, 2010

  
M. James Lorenz  
United States District Court Judge

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COPY TO:

HON. CATHY ANN BENCIVENGO  
UNITED STATES MAGISTRATE JUDGE

ALL PARTIES/COUNSEL